

No. 72428

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 29 2005

Returned to applicant for correction APR 18 2005

Corrected application filed

Map filed MAR 29 2005

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The applicant **Harold G. and Rhonda L. Johnson 1996 Revocable Trust** hereby make application for permission to change the **Place of Use of a portion** of water heretofore appropriated under **United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada**

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1. The source of water is **Truckee and Carson River**
2. The amount of water to be changed **81.00 ac. ft.**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam within SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 33, T.19N., R.26E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 35, T.18N., R.28E., M.D.B.&M. Truckee Carson Irrigation District Serial Number 6-4-B (18.00 acres)**
8. Existing place of use **NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 35, T.18N., R.28E., M.D.B.&M., Truckee Carson Irrigation District Serial No. 6-4-B (18.00 acres)**
9. Use will be from **as decreed**
10. Use was permitted from **as decreed**
11. Description of proposed works **dams, canals & ditches**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**

15. Remarks: This application is made under the provisions of NRS 533.040 Paragraph 4. This application will be for the irrigation of 18.00 acres within the proposed place of use.

By Barry A. Fitzpatrick, S.W.R.S. #817  
s/ Barry A. Fitzpatrick Agent  
178 S. Maine Street  
Fallon, Nevada 89406

Compared gkl/hk hcm/gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of N.R.S.533.040 Paragraph 4 and is limited to the irrigation of 18 acres within the proposed place of use.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount, which can be applied to beneficial use, and not to exceed 81 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

April 3, 2009

Proof of the application of water to beneficial use shall be filed on or before:

May 3, 2009

Map in support of proof of beneficial use shall be filed on or before:

May 3, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 3<sup>rd</sup> day of April, A.D. 2006

  
State Engineer

Completion of work filed June 25, 1998 under 62742

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_